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Attorney Docket No. M0001-003002

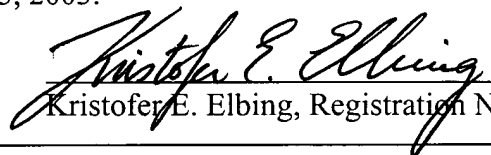
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kollias et al. Examiner: Not Assigned
Serial No.: 10/085,011 Art Unit: Not Assigned
Filed: February 28, 2002
Title: NON-INVASIVE TISSUE GLUCOSE LEVEL MONITORING

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with sufficient first-class postage attached, and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on February 13, 2003.


Kristofer E. Elbing, Registration No. 34,590

Assistant Commissioner for Patents
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 and 1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. § 1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action on the merits. No fee is due.

PART II: Information Cited

Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

A copy of all documents listed on the attached PTO-1449 form (modified) is enclosed. It is respectfully requested that:

The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims; and

The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that a more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

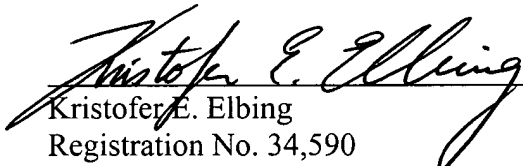
Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

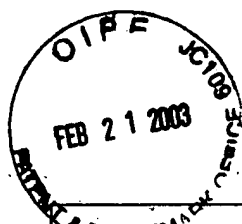
An early and favorable action is hereby requested.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0750.

Respectfully submitted,

February 13, 2003
Dated


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Sheet 1 of 3

SUBPATENT FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket No. M0001-003002		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Serial No. 10/085,011		Applicant Kollias et al.		
(37 CFR §1.98(b))		Filing Date February 28, 2002				
U.S. PATENTS						
Examiner's Initials	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date (If Appropriate)
	*6,222,189 B1	Apr. 24, 2001	Misner et al.	250	341.1	
	*6,088,605	July 11, 2000	Griffith et al.	600	316	
	*6,064,065	May 16, 2000	Block et al.	250	341.3	
	*6,044,285	Nov. 12, 1998	Chaiken et al.	600	316	
	*6,032,070	Feb. 29, 2000	Flock et al.	600	473	
	*6,028,311	Feb. 22, 2000	Sodickson et al.	250	343	
	*6,016,435	Jan. 18, 2000	Maruo et al.	600	316	
	*6,002,953	Dec. 14, 1999	Block, Myron J.	600	316	
	*5,999,836	Dec. 7, 1999	Nelson et al.	600	407	
	*5,986,770	Nov. 16, 1999	Hein et al.	356	446	
	*5,921,926	July 13, 1999	Rolland et al.	600	407	
	*5,902,235	May 11, 1999	Lewis et al.	600	323	
	*5,879,294	Mar. 9, 1999	Anderson et al.	600	310	
	*5,865,829	Feb. 2, 1999	Kitajima, Nobuaki	606	3	
	*5,865,167	Feb. 2, 1999	Godik, Eduard E.	128	133	
	*5,853,370	Dec. 29, 1998	Chance et al.	600	473	
	*5,845,639	Dec. 8, 1998	Hochman et al.	128	653.1	
	*5,818,048	Oct. 6, 1998	Sodickson et al.	250	343	
	*5,818,044	Oct. 6, 1998	Sodickson et al.	250	339.06	
	*5,807,263	Sep. 15, 1998	Chance, Britton	600	476	
	*5,713,353	Feb. 3, 1998	Castano	128	633	
	*5,712,101	Jan. 27, 1998	Bucala	435	7.1	
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	*5,672,875	Sep. 30, 1997	Block et al.	250	343	
	*5,666,956	Sep. 16, 1997	Buchert	128	664	
	*5,657,754	Aug. 19, 1997	Rosencwaig	128	633	
	*5,601,079	Feb. 11, 1997	Wong et al.	128	633	
	*5,593,390	Jan. 14, 1997	Castellano et al.	604	187	
	*5,553,616	Sep. 10, 1996	Ham et al.	128	633	
	*5,533,509	Jul. 9, 1996	Koashi et al.	128	633	



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Sheet 2 of 3

	*5,517,313	May 14, 1996	Colvin, Arthur E, Jr.	356	417	
	*5,515,847	May 14, 1996	Braig et al.	128	633	
	*5,507,288	Apr. 16, 1996	Böcker et al.	128	633	
	*5,497,772	Mar. 12, 1996	Shulman et al.	128	635	
	*5,492,118	Feb. 20, 1996	Gratton et al.	128	633	
	*5,460,177	Oct. 24, 1995	Purdy et. al.	128	633	
	*5,452,716	Sep. 26, 1995	Clift	128	633	
	*5,379,764	Jan. 10, 1995	Barnes et al.	128	633	
	*5,377,676	Jan. 3, 1995	Vari et al.	128	634	
	*5,372,135	Dec. 13, 1994	Mendelson et al.	128	633	
	*5,370,114	Dec. 6, 1994	Wong et al.	128	633	
	*5,368,028	Nov. 29, 1994	Palti	128	635	
	*5,342,789	Aug. 30, 1994	Chick et al.	436	501	
	*5,341,805	Aug. 30, 1994	Stavridi et al.	128	633	
	*5,318,023	Jun. 7, 1994	Vari et al.	128	633	
	*5,313,941	May 24, 1994	Braig et al.	128	633	
	*5,291,887	Mar. 8, 1994	Stanley et al.	128	637	
	*5,209,231	May 11, 1993	Cote et al.	128	633	
	*5,202,424	Apr. 13, 1993	Vlassara et al.	530	395	
	*5,190,041	Mar. 2, 1993	Palti	128	635	
	*5,140,989	Aug. 25, 1992	Lewis et al.	125	665	
	*5,115,137	May 19, 1992	Andersson-Engels et al.	250	461.2	
	*5,101,814	Apr. 7, 1992	Palti	128	635	
	*5,070,874	Dec. 10, 1991	Barnes et. al	128	633	
	*5,009,230	Apr. 23, 1991	Hutchinson	128	633	
	*5,001,054	Mar. 19, 1991	Wagner	435	14	
	*4,979,509	Dec. 25, 1990	Hakky	128	635	
	*4,721,677	Jan. 26, 1988	Clark, Jr.	435	291	
	*4,655,225	Apr. 7, 1987	Dähne et al.	128	633	
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	*4,206,755	Jun. 10, 1980	Klein	128	214	
	*3,837,339	Sep. 24, 1974	Aisenberg et al.	128	213	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

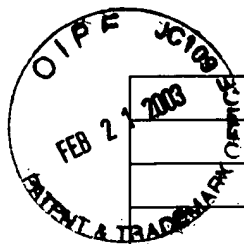
Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation (Yes/No)
	*EP 0 783 867 A1	Jul. 16, 1997	Europe	A61B 5	103	

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TECHNOLOGY CENTER R3700

Sheet 3 of 3



*EP 0 663 591 A1	Jul. 19, 1995	Europe	G01N 21	47	
*EP 0 623 307 A1	Nov. 9, 1994	Europe	A61B 5	00	
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*WO 99/27848 A1	Jun. 10, 1999	WIPO	A61B 5	00	
*WO 97/48331 A1	Dec. 24, 1997	WIPO	A61B 5	00	
*WO 96/07889 A1	Mar. 14, 1996	WIPO	G01N 21	64	
*WO 95/06431 A2	Mar. 9, 1995	WIPO	A61B 5	00	
*WO 94/10901 A1	May 26, 1994	WIPO	A61B 5	00	
*WO 93/17621 A1	Sep. 16, 1993	WIPO	A61B 5	14	
*WO 92/15008 A1	Sep. 3, 1992	WIPO	G01N 21	65	

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*Kohl et al., "Influence of Glucose Concentration on Light Scattering in Tissue-Simulating Phantoms," Optics Letters, Vol. 19, No. 24, Dec. 15, 1994
*Kollias et al., "Endogenous Skin Fluorescence Includes Bands that may Serve as Quantitative Markers of Aging and Photoaging," Journal of Investigative Dermatology, Vol. 111, No. 5, Nov. 1998.
*Maier et al., "Possible Correlation Between Blood Glucose Concentration and the Reduced Scattering Coefficient of Tissues in the Near Infrared," Optics Letters, Vol. 19, No. 24, Dec. 15, 1994
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*Rolinski et al., "Near Infra-red Assay for Glucose Determination," International Society for Optical Engineering, Technical Abstract Digest from the International Symposium on Biomedical Optics, San Jose, CA, January 23, 1999.
*Sannes, "The Outlook for Noninvasive and Minimally Invasive Glucose Testing," Decision Resources, Inc., November 1998
*Schwartz, Jon A et al., "Diagnostic Potential of Laser-Induced Autofluorescence Emission in Brain Tissue," Journal of Korean Medical Science, vol. 12, no. 2, April 1997.
*Wynant and Chenault, "Special Issue on Non-Invasive Glucose Monitoring with Optical Techniques," Leos Newsletter, April 1998

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.

* A copy of this reference is not provided as it was previously cited by or submitted to the Office in one or more prior applications, including Serial No. 09/287,486, filed April 6, 1999, relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).